

FREMONT BOARD OF SELECTMEN**14 FEBRUARY 2008****APPROVED 02/21/2008**

At 6:08 pm the Board's meeting was called to order by Cordes. Present were Selectmen Gene Cordes, Donald Gates Jr, and Peter Bolduc; and Town Administrator Heidi Carlson.

There was some discussion about the final budget public hearings.

OLD BUSINESS

1. Selectmen reviewed the minutes for 07 February 2008. Motion was made to approve them as written by Gates and seconded by Bolduc. The vote was unanimously approved 3-0.
2. The Town Report went to the printer on Tuesday February 12th and is due back by February 29th, with a proof to the town in advance of the final printing.
3. Carlson advised the Board that the 2004 tax arrearage of Torromeo and Iacozzi has been paid for the property at 127 Karlin Road. An abatement will need to be processed (with information from the Tax Collector) for a portion of the interest as agreed.
4. Selectmen reviewed again a memorandum from the NH Local Government Center regarding the NH Retirement System and LGC's Mandate Litigation. There was lengthy discussion about the LGC lawsuit. The Board made no decision.

NEW BUSINESS

1. Selectmen reviewed the accounts payable manifest in the amount of \$18,980.66 dated 15 February 2008. Motion was made by Bolduc and seconded by Gates to approve this manifest. The vote was unanimously approved 3-0.
2. A request has been received from Janice O'Brien for the Board to consider supporting a project for a NHEP CTAP grant, to fund a portion of the Glen Oakes Forest Management Plan that the Conservation Commission is currently working on. O'Brien would like one of the Board members as a contact on the grant application, if the Board is supportive of the grant. Charlie Moreno is doing an overall management plan that will guide the Town for the next 20-30 years. The plan will include detailed forest type, wildlife habitat, as well as other information to monitor changes over time.

Cordes agreed to be the contact as the Board is in support of the grant.
3. The Open Space Committee and the Historical Society are talking about hosting a walk to the plane crash site in Spruce Swamp. They will be going through Glen Oakes and most likely off the established trails. Selectmen agreed that a waiver similar to the one used for the Owl Walk should be used.
4. Selectmen signed outgoing correspondence including a letter to NH PUC regarding Verizon cable television services.
5. Selectmen reviewed the folder of incoming correspondence.
6. Selectmen signed a warrant for posting by the Town Clerk to announce voting for all Town and School District Officers on Tuesday March 11, 2008 at the Fremont Safety Complex with polls open from 8:00 am to 7:00 pm. The warrant was returned to the Clerk after being signed.

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7. Selectmen reviewed an Intent to Cut for 2007-2008 for James and Elaine O'Brien on parcel 02-150. Cordes moved to approve the Intent for James and Elaine O'Brien. Gates seconded and the vote was unanimously approved 3-0.

8. Selectmen reviewed the Rockingham Metropolitan Planning Organization Technical Advisory Committee (TAC) appointment form. The Board would like Thom Roy or Meredith Bolduc to take this position and asked Carlson to speak with both of them about it. No further action was taken on the form.

At 7:00 pm there were no Department Heads present.

9. Carlson discussed with the Board updates to the Capital Improvements as the Planning Board continues to work on updates. The projects were reviewed individually and included:

Town Hall Renovations (to include heating system) – currently working on an estimate (excluding heating system shown below) cost is estimated at \$150,000. Heating and air conditioning system estimate is \$65,000 and will be done in conjunction with renovations. The heating system replacement would need to be done even if renovations do not move ahead.

Revaluation Capital Reserve - \$25,000 annually to fund a revaluation/certification process every 5th year. Next certification is in 2010; so the RFP process will begin in 2009.

Historic Museum - \$10,000 annually to capital reserve fund. Estimated \$50,000 expense in a future year.

Martin Road Bridge Replacement - \$300,000 estimated total cost with up to 80% eligible from NH Bridge Aid Program.

Emergency Generator Capacity for Ellis School – to be left in for planning purposes; to cover the hookup of emergency backup power/generator at the school.

The Cemetery Trustees will work with the Planning Board on the allocation of land for future expansion of the cemetery.

Within the discussion of the Historic Museum project, Selectmen asked Carlson to enlist the help of Thom Roy on working with the State of NH to get the culvert/drainage issues at Beede Hill Road and Main Street resolved.

At 7:09 pm Gates moved to enter non-public session pursuant to NH RSA 91-A:3 II (c) to discuss a tax assistance matter. Bolduc seconded and the vote was unanimously approved 3-0.

Cordes moved to return to public session at 7:13 pm. Bolduc seconded and the vote was unanimously approved 3-0.

No decisions were made, and the Board did not need to seal the minutes of the non-public session.

At 7:16 pm Bolduc moved to recess for 10 minutes. Gates seconded and the vote was unanimously approved 3-0.

At 7:29 pm Cordes called the Board's meeting back to order.

At 7:30 pm Selectman Cordes opened a Public Hearing to discuss a petition submitted for the Town Election warrant regarding SB2, NH RSA 40:13. Present were Selectmen Gene Cordes, Donald Gates Jr, and Peter Bolduc; Members of the Public Keith and Linda Stanton, Tom McGall, Matthew Thomas, and Neil Rowland; and Town Administrator Heidi Carlson. Keith Stanton video-taped the hearing and Neil Rowland audio/video-recorded portions of the hearing for YouTube. Chairman Cordes read the notice of public hearing:

TOWN OF FREMONT NOTICE OF PUBLIC HEARING

The Fremont Selectmen will hold a Public Hearing at 7:30 pm on February 14, 2008 at the Town Hall in accordance with NH RSA 40:14 IV regarding a petition submitted for the Town Meeting Warrant relative to adoption of SB 2 in accord with RSA 40:13. In case of inclement weather, this hearing will be held at 7:30 pm on February 21, 2008.

The public is encouraged to attend.

This hearing notice was posted in municipal buildings and the Fremont Post Office, and on the Town's website on December 18, 2007; published in the February 1, 2008 Edition of Seacoast News - Rockingham Edition; and published in the January & February 2008 Fremont Town Newsletters.

Cordes deferred to the petitioners to make a presentation. Keith Stanton came to the Selectmen's table and said that in the last two years, he did not think anyone present at the hearing had changed their position on SB 2. He said that this year he is hoping that at least three people here have taken into consideration that 59.9% of the voters are in favor of it. He also hopes those three people will not continue to spend Town money to oppose SB 2 by printing a "not recommended" opinion in this years Town Report.

He said that 901 voters went to the polls last March, and that 91 people spent 2.5 million dollars at the Town Meeting. He said that in January of 2008, 1,624 went to the polls; and 19 people went to the Public Budget Hearing for the Town.

Stanton said that voters just want to cast their ballot and go home. They do not want to listen to hours and hours of debate. Based on those numbers you can see the large numbers of people who want to just go and cast their ballot. He said that more voters equals better democracy. He said that the bottom line is that those people who support SB 2 are in favor of allowing more voters to vote, giving them all day to vote, let them vote on a Tuesday, use a private voting booth to vote, and use an absentee ballot if they need to. He said that those who are against SB 2 are denying the voters those five rights.

Neil Rowland offered an observation. He came up to the table. He said that last year at this time, he was neutral to the question of SB2 and had heard both arguments. Then he mentioned Town Meeting when a former Comcast employee spoke up and said that Comcast was going to pay for equipment for a public access channel, causing the \$400 warrant article to be voted down for purpose of a cable access channel. Later, it turned out that the speaker was wrong. Rowland said because of this, he no longer buys the informed voter and that shifts the balance to SB 2.

Matthew Thomas then came up to the table and said that it is SB 2 that has set the bar at 60% in order for the referendum to pass. For three years it has not met that bar in Fremont. It came close last year due to the contested Town Clerk's race, bringing out more people than usual to vote.

He said for people to be able to vote their wallets and do what is in the best interest of any community, you need to know why these articles are being brought forth. He said that in his opinion, when people come together and bring forth different recommendations and opinions, they may learn more and change their mind during the course of discussion. He said he does not feel that you can do that if you are just talking to your neighbors and relying on the newspapers.

He said that at Town Meeting, each voter has the opportunity, if they do not like the meeting date, time, location, any voter can get up and make a motion to change those things.

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He feels that the only benefit to SB 2 is absentee voting. The concern is that if you are not there to attend the town meeting or in SB 2, the deliberative session, that you do not have access to all of the information. He said that the deliberative session does not bring out a lot of people, estimating that it might be 50-75 in the towns he attends, and this includes the town officials and department heads.

He said that he does not feel SB 2 is adequately informing the public to vote knowledgeably when they go to the polls in March.

He said that 30 communities in NH have recommended repealing SB 2; three have been able to; and 27 have not. He said that Hillsboro and Rockingham counties have attracted the largest number of people from Massachusetts, Connecticut, New York, where they have had city councils; and to many people in Fremont after 3 years of debating this issue, there are still many people who do not understand the difference between the traditional Town Meeting and SB 2.

Thomas said that if 130 people take the time to come out, that they have gotten the information, and to vote as best as they can, that those doors are not closed to anyone. He argued the excuse that more people want to come out at the polls versus to the Town Meeting.

He said since 1975, the majority of Town Meetings have lasted about 3 hours. A few have lasted 5 hours. He said that since 1992 we have had a much larger turnout at Town Meeting.

Thomas said that people either care enough to come out or they don't, and until more people start to attend the deliberative session, he said he cannot support the change. He said nine towns in Rockingham County do not have SB 2.

He said that approval of bond articles are higher in town meeting towns. He cited the NH Center for Public Policy's fatal flaw in the SB 2 law, in that special interest groups can force a change to any warrant article, including reducing a spending item down to zero; effectively removing the line item from consideration (at zero) at the deliberative session.

The few people who are attending the SB 2 session can vote down to zero, then the voters in March have nothing to vote on.

Gates questioned an item being voted down to \$1, it cannot be changed? Thomas answered no. Once an item is approved at the deliberative session that is how it appears on the ballot.

It was clarified that at the deliberative session decisions are made on the final format and presentation of the warrant, and the actual vote of yes or no on those items are taken five weeks later on the second Tuesday in March.

With SB 2 there are two pools of potential voters, one at the deliberative session in February and the other at the Tuesday voting session in March.

Gates said that some positive things could happen. Thomas agreed with that.

Stanton said that is exactly what happens now and mentioned that it happens on two different dates.

Thomas said at the Town Meeting discussion people have heard the discussion and make their decision based on what they have heard.

Stanton said that the figures confirm that more voters go to vote on polling day.

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Tom McGall questioned Chester having it, and it was clarified that Chester has it in their School District only at this time.

Thomas said that he has been to several neighboring towns deliberative sessions including Kingston and Hampstead and there were less people at the deliberative session than were at the traditional town meeting session. Thomas agreed that SB2 would be a very good concept if people participated in both sessions.

There was debate between Stanton and Thomas.

Gates returned the focus of the meeting, and said it should not become personal.

Neil Rowland wanted to add some rebuttal comments. He apologized for interrupting twice. First he said that getting everyone to the Town Meeting, is not physically possible. Ellis School could not support the number of registered voters and also there would not be sufficient parking availability. We are not going to get every voter there, so he felt it was a moot point.

He felt the “uninformed voter” was a red herring, and he said it is a problem. He said the solution to that is the same – to inform all the voters through various channels, such as the PEG channel, website, flyers, and various web discussion forums. The one area where he sees it making a difference would be to come in and make decisions where in all voters cannot get into Town Meeting to make decisions.

Tom McGall said he was on the Cable Committee and learned a lot this year. He mentioned someone who had been a former Comcast employee, and discussed the equipment that it was thought Comcast would provide. McGall said that he had no idea, and later learned that Comcast has never done that, and they had no intentions of doing it in the future. He said you hear the pros and cons and you are going to get facts on that particular warrant article, and they did not get all of the information (at that meeting); and the 90 or 95 present voted in favor of voting that article down. He questioned if Town Meeting is the best thing. He doesn't think it is. He said in a deliberative session, you get an opportunity to discuss it; then have 4-5 weeks to digest the material and make your own decision. He said he wasn't sure whether or not the large turnout last year was due to the Town Clerk's race or not, but without exit polls, one can only estimate. McGall said that he thinks the more voters at the polls, the better it is for the Town.

Stanton said that 50-100 people go to the deliberative session in Raymond, and 1,500 people come out to vote on election day.

Cordes said that people have differences of opinion and that is what this hearing is about. If there are no new questions, we will move on.

There was no further new discussion.

Cordes said that Fremont had a long history of doing it one way, and that there was information and there were differences and each voter should decide how that works for them and make a decision.

Gates moved to close the public hearing at 8:10 pm. Bolduc seconded and the vote was unanimously approved 3-0.

The public which had been present, left the meeting room at this time.

NEW BUSINESS CONTINUED

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10. Selectmen signed a cease and desist letter to follow-up action by Thom Roy this week on gravel excavation without a permit on parcels 02-129 and 02-129.001 through 02-129.006 owned by Jeremy Lennon. Mr Lennon had removed the equipment from the site after talking with Roy; and has an appointment with the Fremont Planning Board next week.

11. Selectmen reviewed and approved the March Newsletter.

12. Carlson discussed with the Board a needed Highway sander replacement as one is now beyond repair (has had \$2,000+/- repairs since January). This will be discussed further with Holmes in terms of the issue with the unit and how to go about replacement.

13. Selectmen reviewed a request to add the REDC website as a link from the Town's site for economic development. Selectmen agreed this was OK.

NEXT WEEK

Monday February 18th is President's Day and all Town Offices are closed. There is no delay in trash pickup.

The Energy Committee meets at 7:00 pm on Tuesday February 19, 2008.

The next regular Board meeting will be held on Thursday February 21, 2008 at 6:00 pm.

With no further business to come before the Board, motion was made by Bolduc and seconded by Gates to adjourn the meeting at 8:12 pm.

Respectfully submitted,

Heidi Carlson
Town Administrator

Minutes of Non-Public Session

In 7:09 pm

Present: Selectmen Gene Cordes, Donald Gates Jr, Peter Bolduc
Town Administrator Heidi Carlson

Selectmen discussed an abatement request on a hardship issue due to health and loss of employment.

The Board will consider abating penalties and a portion of the past interest after the principal has been paid, as a settlement toward getting the principal paid.

Carlson will send a letter to the resident with this information.

Out: 7:13 pm